

2021 -- H 6209 SUBSTITUTE A

LC002559/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO INSURANCE

Introduced By: Representative Gregg Amore

Date Introduced: April 07, 2021

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness Insurance
2 Policies" is hereby amended by adding thereto the following section:

3 **27-18-85. Mandatory coverage for treatment of pediatric autoimmune**
4 **neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**
5 **neuropsychiatric syndrome.**

6 (a) Every group health insurance contract, or every group hospital or medical expense
7 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
8 any health insurance carrier, on or after January 1, 2022, shall provide coverage for treatment of
9 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
10 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of
11 intravenous immunoglobulin therapy.

12 (b) For billing and diagnosis purposes, pediatric autoimmune neuropsychiatric disorders
13 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome shall
14 be coded as autoimmune encephalitis until the American Medical Association and the Centers for
15 Medicare and Medicaid Services create and assign a specific code for pediatric autoimmune
16 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
17 neuropsychiatric syndrome. Thereafter, pediatric autoimmune neuropsychiatric disorders
18 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome may
19 be coded as autoimmune encephalitis, pediatric autoimmune neuropsychiatric disorders associated

1 with streptococcal infections, or pediatric acute onset neuropsychiatric syndrome.

2 (c) The health care benefits outlined in this section apply only to services delivered within
3 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
4 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
5 can be established through a pre-authorization process that the required services are not available
6 in the state of Rhode Island from a provider in the health insurance carrier's network.

7 (d) The office of the health insurance commissioner shall not allow the inclusion of the
8 cost of the benefit coverage provided in this section in the health insurance coverage rates proposed
9 to be charged, or a rating formula proposed to be used, by any health insurance carrier to policy
10 holders.

11 (e) Each health insurance carrier shall collect and provide to the office of the health
12 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
13 data reflecting the costs and the savings of adding the benefit coverage provided in this section. On
14 or before January 1, 2024, the office of the health insurance commissioner shall report to the general
15 assembly a cost-benefit analysis of the implementation of the benefit coverage provided in this
16 section. The intent of this cost-benefit analysis is to determine if adding the benefit coverage
17 provided in this section produces a net savings to health insurance carriers and to policy holders.

18 (f) This section shall sunset and be repealed effective December 31, 2024.

19 SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service
20 Corporations" is hereby amended by adding thereto the following section:

21 **27-19-77. Mandatory coverage for treatment of pediatric autoimmune**
22 **neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**
23 **neuropsychiatric syndrome.**

24 (a) Every group health insurance contract, or every group hospital or medical expense
25 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
26 any health insurance carrier, on or after January 1, 2022, shall provide coverage for treatment of
27 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
28 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of
29 intravenous immunoglobulin therapy.

30 (b) For billing and diagnosis purposes, pediatric autoimmune neuropsychiatric disorders
31 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome shall
32 be coded as autoimmune encephalitis until the American Medical Association and the Centers for
33 Medicare and Medicaid Services create and assign a specific code for pediatric autoimmune
34 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset

1 neuropsychiatric syndrome. Thereafter, pediatric autoimmune neuropsychiatric disorders
2 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome may
3 be coded as autoimmune encephalitis, pediatric autoimmune neuropsychiatric disorders associated
4 with streptococcal infections, or pediatric acute onset neuropsychiatric syndrome.

5 (c) The health care benefits outlined in this section apply only to services delivered within
6 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
7 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
8 can be established through a pre-authorization process that the required services are not available
9 in the state of Rhode Island from a provider in the health insurance carrier's network.

10 (d) The office of the health insurance commissioner shall not allow the inclusion of the
11 cost of the benefit coverage provided in this section in the health insurance coverage rates proposed
12 to be charged, or a rating formula proposed to be used, by any health insurance carrier to policy
13 holders.

14 (e) Each health insurance carrier shall collect and provide to the office of the health
15 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
16 data reflecting the costs and the savings of adding the benefit coverage provided in this section. On
17 or before January 1, 2024, the office of the health insurance commissioner shall report to the general
18 assembly a cost-benefit analysis of the implementation of the benefit coverage provided in this
19 section. The intent of this cost-benefit analysis is to determine if adding the benefit coverage
20 provided in this section produces a net savings to health insurance carriers and to policy holders.

21 (f) This section shall sunset and be repealed effective December 31, 2024.

22 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service
23 Corporations" is hereby amended by adding thereto the following section:

24 **27-20-73. Mandatory coverage for treatment of pediatric autoimmune**
25 **neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**
26 **neuropsychiatric syndrome.**

27 (a) Every group health insurance contract, or every group hospital or medical expense
28 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
29 any health insurance carrier, on or after January 1, 2022, shall provide coverage for treatment of
30 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
31 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of
32 intravenous immunoglobulin therapy.

33 (b) For billing and diagnosis purposes, pediatric autoimmune neuropsychiatric disorders
34 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome shall

1 be coded as autoimmune encephalitis until the American Medical Association and the Centers for
2 Medicare and Medicaid Services create and assign a specific code for pediatric autoimmune
3 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
4 neuropsychiatric syndrome. Thereafter, pediatric autoimmune neuropsychiatric disorders
5 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome may
6 be coded as autoimmune encephalitis, pediatric autoimmune neuropsychiatric disorders associated
7 with streptococcal infections, or pediatric acute onset neuropsychiatric syndrome.

8 (c) The health care benefits outlined in this section apply only to services delivered within
9 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
10 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
11 can be established through a pre-authorization process that the required services are not available
12 in the state of Rhode Island from a provider in the health insurance carrier's network.

13 (d) The office of the health insurance commissioner shall not allow the inclusion of the
14 cost of the benefit coverage provided in this section in the health insurance coverage rates proposed
15 to be charged, or a rating formula proposed to be used, by any health insurance carrier to policy
16 holders.

17 (e) Each health insurance carrier shall collect and provide to the office of the health
18 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
19 data reflecting the costs and the savings of adding the benefit coverage provided in this section. On
20 or before January 1, 2024, the office of the health insurance commissioner shall report to the general
21 assembly a cost-benefit analysis of the implementation of the benefit coverage provided in this
22 section. The intent of this cost-benefit analysis is to determine if adding the benefit coverage
23 provided in this section produces a net savings to health insurance carriers and to policy holders.

24 (f) This section shall sunset and be repealed effective December 31, 2024.

25 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance
26 Organizations" is hereby amended by adding thereto the following section:

27 **27-41-90. Mandatory coverage for treatment of pediatric autoimmune**
28 **neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**
29 **neuropsychiatric syndrome.**

30 (a) Every group health insurance contract, or every group hospital or medical expense
31 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
32 any health insurance carrier, on or after January 1, 2022, shall provide coverage for treatment of
33 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
34 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of

1 intravenous immunoglobulin therapy.

2 (b) For billing and diagnosis purposes, pediatric autoimmune neuropsychiatric disorders
3 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome shall
4 be coded as autoimmune encephalitis until the American Medical Association and the Centers for
5 Medicare and Medicaid Services create and assign a specific code for pediatric autoimmune
6 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
7 neuropsychiatric syndrome. Thereafter, pediatric autoimmune neuropsychiatric disorders
8 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome may
9 be coded as autoimmune encephalitis, pediatric autoimmune neuropsychiatric disorders associated
10 with streptococcal infections, or pediatric acute onset neuropsychiatric syndrome.

11 (c) The health care benefits outlined in this section apply only to services delivered within
12 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
13 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
14 can be established through a pre-authorization process that the required services are not available
15 in the state of Rhode Island from a provider in the health insurance carrier's network.

16 (d) The office of the health insurance commissioner shall not allow the inclusion of the
17 cost of the benefit coverage provided in this section in the health insurance coverage rates proposed
18 to be charged, or a rating formula proposed to be used, by any health insurance carrier to policy
19 holders.

20 (e) Each health insurance carrier shall collect and provide to the office of the health
21 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
22 data reflecting the costs and the savings of adding the benefit coverage provided in this section. On
23 or before January 1, 2024, the office of the health insurance commissioner shall report to the general
24 assembly a cost-benefit analysis of the implementation of the benefit coverage provided in this
25 section. The intent of this cost-benefit analysis is to determine if adding the benefit coverage
26 provided in this section produces a net savings to health insurance carriers and to policy holders.

27 (f) This section shall sunset and be repealed effective December 31, 2024.

28 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE

1 This act would require coverage for the treatment of pediatric autoimmune
2 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
3 neuropsychiatric syndrome, including, but not limited to, the use of intravenous immunoglobulin
4 therapy.

5 This act would take effect upon passage.

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